IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.6463 of 2006
Date of Decision: 4-12-2006

Major Singh ...Petitioner

Versus

Nasib Kaur and others ....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri M.S. Bedi, Advocate, for the petitioner.

HEMANT GUPTA,J.

The challenge in the present revision petition is to the order passed by the learned trial Court on 15.9.2005, whereby interim maintenance @ Rs.700/- was awarded to the daughter-in-law and Rs.500/- to the grand daughter of the petitioner.

Learned counsel for the petitioner has vehemently argued that the petitioner is to maintain his wife as well as a widow daughter and her children, therefore, the petitioner is not in a position to pay the aforesaid amount for the maintenance to his daughter-in-law and the grand daughter.

However, I do not find any substance in the said argument raised by the learned counsel for the petitioner. It has been found by the learned trial Court, while granting ad-interim maintenance that the petitioner is owner of agricultural land measuring 34 kanals 18 marlas. It has also been found that the daughter-in-law and the grand daughter are not possessed of any means to maintain themselves and, therefore, the learned trial Court granted ad-interim maintenance as noticed above. In the absence

of any means of sustenance, the grant of ad-interim maintenance cannot be said to be suffering from any patent illegality or irregularity, which may warrant interference by this Court in exercise of its revisional jurisdiction.

Hence, the present revision petition is dismissed.

Learned counsel for the petitioner prays that the petitioner may be granted sometime to make the payment of maintenance. It shall be open to the petitioner to move an appropriate application before the learned trial Court, which shall be considered in accordance with law.

04-12-2006 (HEMANT GUPTA)
ds JUDGE